

REMARKS/ARGUMENTS

Applicants have amended Claim 1 to better define the location of the sulfate groups and their relationship to the polymer backbone as described in the present application to make the distinction over the cited art more clear. Claim 1 is rewritten with language within the original claim itself. Thus, no new issue is raised and no new search or consideration is necessary. Applicants therefore request entry of this amendment in order to avoid an appeal and to expedite prosecution to a quick allowance.

Rejection Under 35 U.S.C. §102(e)

Claims 1-7 have been rejected as anticipated by U.S. Patent Application Publication 2005/008965 (Tao et al.). Presumably, the Examiner means to indicate that Claims 8-10 are allowable. This rejection is respectfully traversed.

The Office Action refers to the teaching in Tao et al. of a “sulfated phenolic resin” used in an imageable element.

Applicants do not disagree with the Examiner’s understanding of a benzene derivative (or aryl group) being created by removal of a hydrogen atom from the benzene ring. However, they maintain their traversal of the rejection because they believe that the Examiner has not correctly understood the scope of the claimed invention in view of the teaching of Tao et al. In particular, it is believed that Applicants’ location of sulfate groups has been misunderstood in relation to the location of sulfate groups taught in Tao et al.

Applicants’ claimed imageable element requires the presence of a “sulfated polymer” in which the sulfate groups are attached to pendant aryl groups, alkyl groups, or both. Amended Claim 1 makes this location of the sulfate groups more clear. Applicants’ invention does not call for sulfate groups directly attached to the benzene rings of the polymer backbone.

However, Tao et al. does require the presence of sulfate groups that are directly attached to the benzene rings that are part of the polymer backbone. This requirement is clearly described in [0034] of Tao et al. where the phrase “sulfate phenolic resin” used in the claims is defined. The sulfate groups are attached to the aromatic rings of the polymer backbone in place of at least

some of the hydroxyl substituents. This definition in Tao et al. clearly does not include resins in which the sulfate group is attached to pendant aryl groups, or to alkyl groups as in the present invention. Thus, in the resins used in the present invention, there is always a chemical moiety between the sulfate group and the aromatic rings in the polymer backbone. This is not the case for the polymers in Tao et al.

Thus, the sulfated phenolic resins taught in Tao et al. are structurally and chemically different than the "sulfated polymers" required in the presently claimed invention. Because Tao et al. does not describe each and every limitation of Applicants' claimed invention, either expressly or under principles of inherency, it cannot anticipate the presently claimed invention.

For these reasons, it is requested that the rejection of Claims 1-7 over Tao et al. be withdrawn.

In view of the foregoing amendments and remarks, reconsideration of this patent application is respectfully requested. A prompt and favorable action by the examiner is earnestly solicited.

Respectfully submitted,



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